

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

YAZMIN MORALES PEÑA

Plaintiff

v.

HOSPITAL SANTA ROSA, INC., ET AL

Defendants

Civil No. 15-02281 (PAD)

JOINT MOTION FOR VOLUNTARY DISMISSAL WITH PREJUDICE

TO THE HONORABLE COURT:

COME NOW the appearing parties, **YAZMIN MORALES PEÑA**, hereinafter referred to as the Plaintiff; and **RADIOLOGY SUPPORTING SERVICES, INC.** and **CONTINENTAL CASUALTY COMPANY**, hereinafter referred to as "Settling Defendants", through their undersigned attorneys and respectfully state and pray:

1. Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, and any applicable federal statute of the United States, an action may be dismissed by the plaintiff without order of the court by filing a stipulation of dismissal signed by all parties who have appeared in the action. Unless otherwise stated in the notice of dismissal or stipulation, the dismissal is without prejudice.

2. Therefore, the appearing parties respectfully request the voluntary dismissal with prejudice be ordered by this Honorable Court, as to codefendants, Radiology Supporting Services, Inc. and Continental Insurance Company, as insurer of Radiology Supporting Services, Inc., without particular imposition of costs or attorneys' fees.

3. The aforementioned request is made in good faith and does not cause prejudice to any of the parties nor threatens their legal rights nor creates a legal burden. To the contrary, the present request avoids the costs and risks inherent to this litigation and saves the Honorable Court's time, effort and resources.

WHEREFORE, it is respectfully requested that this Honorable Court order the dismissal of the instant case with prejudice, as to codefendants, Radiology Supporting Services, Inc. and Continental Insurance Company, as insurer of Radiology Supporting Services, Inc., without particular imposition of costs or attorneys' fees, pursuant to the Rule 41 of the Federal Rules of Civil Procedure, and enter judgment accordingly.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 25th day of June, 2018.

WE HEREBY CERTIFY that on this same date, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the attorneys of record.

S/VICENTE SANTORI MARGARIDA
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